

Message Text

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ACTION EB-07

INFO OCT-01 ARA-06 EUR-12 IO-10 ISO-00 INRE-00 SSO-00

NSCE-00 USIE-00 L-02 FRB-01 OMB-01 TAR-01 SP-02

SWF-01 AGR-05 AID-05 CIAE-00 COME-00 INR-05 LAB-04

NSAE-00 OIC-02 RSC-01 SIL-01 STR-01 TRSE-00 CIEP-01

CEA-01 AF-04 EA-06 NEA-06 SS-15 NSC-05 PA-01 PRS-01

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INFO AMEMBASSY MEXICO CITY IMMEDIATE

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BRUSSELS FOR SECRETARY'S PARTY

E.O. 11652: N/A

TAGS: UN, EGEN, UNCTAD

SUBJ: CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES

(CERDS); UNGA PLENARY CONSIDERATION

1. SUMMARY: DURING TWO MEETINGS 12 DEC, PLENARY
CONSIDERED AND ADOPTED CERDS BY VOTE OF 120-6(US)-
10. MEXICAN FON MIN RABASA MADE STATEMENT AFTER VOTE.
US DEL DID NOT SPEAK. END SUMMARY.

2. PLENARY BEGAN CONSIDERATION OF CERDS, 12 DEC,
WITH INTRODUCTION OF COMITE 2 REPORT (A/9946) ON CERDS
BY COMITE 2 RAPPORTEUR, WHO, INTER ALIA, NOTED CERDS,
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WHILE NOT ADOPTED BY CONSENSUS, COMMANDED CONSIDERABLE

SUPPORT. RAPPORTEUR ALSO ANNOUNCED NEPAL HAD WITHDRAWN AS CO-SPONSOR OF CERDS.

3. THE CHAIR REPORTED THAT (UNIDENTIFIED) REQUESTS HAD BEEN MADE FOR (A) ROLL CALL VOTE ON CHARTER AS A WHOLE; AND (B) SEPARATE RECORDED VOTES ON SUB-PARA(O)OF CHAPTER I, AND ARTICLE 3 OF CHAPTER II. SINCE NO DEL OBJECTED THERETO, THERE WERE SEPARATE RECORDED VOTES ON EACH, FOLLOWED BY ROLL CALL ON CHATTER AS A WHOLE. LATTER VOTE WAS MADE AT REQUEST OF MEXICO.

4.VOTE ON SUB-PARA (O) OF CHAPTER I WAS: 125(US)-
1-8. AGAINST: TOGO, ABSTAINING: GABON, SHANA, HAITI,
INDIA, LEBANON, MAURITIUS, MAURITANIA AND OMAN.

5. VOTE ON ARTICLE 3 OF CHAPTER II WAS: 100(US)-

8-28. AGAINST: AFGHANISTAN, BOLIVIA, BRAZIL, COLOMBIA,
COSTA RICA, ETHIOPIA, NICARAGUA, AND PARAGUARY. ABSTAIN-
ING: ALBANIA, AUSTRIA, BAHAMAS, BARBADOS, BELGIUM, BHUTAN,
CHINA, ECUADOR, EL SALVADOR, FRANCE, FRG, GUYANA, HAITI,
HONDURAS, ISRAEL, ITALY, IVORY COAST, JAPAN, LESOTHO,
LUXEMBOURG, MALAWI, MOROCCO, NEPAL, PHILIPPINES, SPAIN,
TURKEY, UK, AND UPPER VOLTA.

6. ROLL CALL VOTE ON CHARTER AS A WHOLE: 120-6(US)-10. AGAINST:
BELGIUM, DENMARK, FRG, LUXEMBOURG, UK AND US, ABSTAINING:
AUSTRIA, CANADA, FRANCE, IRELAND, ISRAEL, ITALY, JAPAN,
NETHERLANDS, NORWAY AND SPAIN.

7. AFTER VOTE, MEXICAN FONMIN RABASA ADDRESSED PLENARY,
BEGINNING WITH COURTEOUS PRAISES FOR GA PRES BOUTEFILKA
AND UN SYG WALDHEIM. RABASA QUOTED PRESIDENT ESCHEVERRIA
AS STATING AT UNCTAD III, IN 1972 IN SANTIAGO, CHILE, THAT
WE SHOULD TAKE ECONOMIC RELATIONS OUT OF THE AREA OF
GOODWILL AND PUT THEM INTO THE AREA OF LAW. THIS,
EXCHEVERRIA FOLLOWED AT, UNCTAD III, WITH A PROPOSAL
THAT A CERDS BE DRAFTED. THREE YEARS LATER, UNGA
HAS GIVEN GREAT SUPPORT TO A COMPLETED CERDS. RABASA
PAID TRIBUTE TO THOSE WHO SUPPORTED CERDS, WHICH HE
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REGARDS AS FIRST STEP IN ESTABLISHMENT OF GLOBAL
ECONOMIC ORDER. RABASA SAID CERDS WAS NOT INTENDED AS
A MEANS TO CAUSE CONFRONTATION, BUT AS A MEANS TO
BRING ABOUT INTERNATIONAL COOPERATION AND SOLIDARITY.
INTER ALIA, IT WILL HELP DEVELOPING COUNTRIES DEFEND
THEMSELVES AGAINST THE ACTIONS OF TNCs WHOSE ONLY
HOMELAND IS MONEY AND ONLY GOAL PROFITS. WITH RESPECT TO
NEGATIVE VOTERS, RABASA VIEWED WITH GREAT REGRETS

THOSE WHO ALLOWED THEIR POSITION TO BE DETERMINED BY THE SELFISH INTERESTS OF FEW (READ TNCs) HE SAID THAT WHILE, IN SPITE OF ALL MEXICO'S EFFORTS, CERDS NOT ADOPTED BY CONSENSUS, IT WAS ADOPTED BY OVERWHELMING MAJORITY REPRESENTING MORE THAN 3 BILLION 200 MILLION PEOPLE, AND MORE THAN 2/3 OF TEXT WAS APPROVED BY ALL. RABASA STATED PRESENT TEXT OF CERDS REPRESENTS BROADEST AGREEMENT WHICH COULD HAVE BEEN REACHED AT THIS TIME. THE ALTERNATIVE OF ADVANCING FOR ADOPTION AT THIS GA ONLY THOSE PARTS OF CERDS AGREED BY ALL WOULD HAVE INVOLVED DIMINISHED OR TIMOROUS CERDS, WHICH PRESIDENT OF MEXICO AND OTHERS WOULD NOT ACCEPT. RABASA STATED THAT G-77 UNDERTOOK TO NEGOTIATE CERDS, ALTHOUGH THEY COULD HAVE ADOPTED WITHOUT NEGOTIATING THREE YEARS AGO. G-77 SOUGHT TO NEGOTIATE IN ORDER TO ACHIEVE WIDEST POSSIBLE ACCEPTANCE OF CERDS. RABASA THEN NOTED (IN OBVIOUS REFERENCE TO AMB SCALI'S STATEMENT ON STRENGTHENING OF THE ROLE OF THE UN) THAT CERDS INVOLVED NO REPEAT NO TRYANNY OF THE MAJORITY. HE ADDED THAT WHILE TRYANNY OF MAJORITY IS BAD, TRYANNY OF MINORITY IS WORSE, AND LATTER IS WHAT OCCURRED IN EARLY YEARS OF THE UN. RABASA CONCLUDED SAYING VALUE OF CERDS DEPENDS ON HOW IT IS RESPECTED, AND IF RESPECTED IN GOOD FAITH, WOULD RESULT AS ESTABLISHMENT OF NEW INTERNATIONAL ECONOMIC ORDER, FULL TEXT (IN SPANISH) OF RABASA STATEMENT POUCHED DEPT(L-SCHWEBEL).

8.FOLLOWING DELS SPOKE IN EXPLANATION, EITHER BEFORE OR AFTER VOTE: ARGENTINA, FIM#PARAGUAY, BOLIVIA, CHINA, SWEDAN, ALBANIA, ECUADOR, BRAZIL, GDR (FOR SOCIALIST COUNTRIES), THAILAND, CANADA, LIBYA, INDIA, MALAYSIA, AUSTRALIA, FRANCE (FOR EC-9), JAPAN, AUSTRIA, JORDAN, SPAIN, TURKEY, VENEZUELA, IRAQ, ETHIOPIA, AND LIMITED OFFICIAL USE

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AFGHANISTAN.

9. LATIN DELS SPOKE GENERALLY ON ARTICLE 3, EXPRESSING THEIR RESERVATIONS WITH AND/OR OPPOSITION TO ITS SIMPLISTIC DRAFTING. CANADA, IN SOME DETAIL, EXPLAINED ITS DIFFICULTY WITH NATIONALIZATION, PERMANENT SOVEREIGNTY AND COMPENSATION PROVISIONS OF ARTICLE 2. ADDITIONALLY, SUPPORT FOR REFERENCE TO "INTERNATIONAL LAW" IN ARTICLE 2 WAS EXPRESSED BY FIJI AND TURKEY. IN GENERAL, WESTERN DELS WHO SPOKE MADE ONLY GENERAL STATEMENTS, NOTING THEIR POSTIONS WERE ON RECORD -- THOUGH FRANCE, SPEAKING FOR EC-9 DID REGRET THE ABRUPT ENDING OF NEGOTIATIONS WHEN PROGRESS ON DIFFICULT ARTICLES APPEARED TO BE POSSIBLE. G-77 MEMBERS WHO SPOKE GAVE GENERAL TO OVERWHELMING SUPPORT TO CERDS, THOUGH SOME RESERVATIONS

WERE EXPRESSED BY NEARLY EVERY SPEAKER.
SCALI

NOTE BY OC/T: #AS RECEIVED.

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